

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TIMOTHY EDWARD SCOTT,)	Case No. C06-0209-RSM-JPD
)	
Plaintiff,)	
)	ORDER DENYING PLAINTIFF'S
v.)	MOTION FOR RECONSIDERATION
)	
NORM MALENG et al.,)	
)	
Defendants.)	
_____)	

Plaintiff is an inmate at the Stafford Creek Corrections Center in Aberdeen, Washington who proceeding pro se in his attempt to bring this 42 U.S.C. § 1983 civil rights action against King County Prosecutor Norm Maleng, Deputy Prosecutor David Ryan, and the Washington State Department of Corrections. Dkt. No. 1. On February 27, 2006, the Court declined to serve plaintiff's complaint because it did not comply with Rule 8 and did not name proper defendants. Dkt. No. 5. By separate order, the Court also denied plaintiff's request for counsel because he had not demonstrated exceptional circumstances. Dkt. No. 6.


Plaintiff now moves the court for reconsideration of its order denying his motion for counsel. Dkt. No. 8. He argues that he "does not have the tools mentally to defend" himself

01 and he has submitted what appears to be a psychological evaluation that indicates he was
02 incompetent to stand trial in State court in 2004. *Id.* Having carefully reviewed plaintiff's
03 motion and supporting materials, the Court ORDERS as follows:

04 (1) Plaintiff's motion for reconsideration of his request for appointment of
05 counsel, (Dkt. No. 8), is DENIED. Motions for reconsideration are disfavored and will
06 ordinarily be denied in the "absence of a showing of manifest error . . . or a showing of new
07 facts or legal authority which could not have been brought to [the Court's] attention earlier
08 without reasonable diligence." Local Rule CR 7(h). Here, plaintiff has not shown that his
09 motion should be granted. Although he has provided evidence regarding his competence, it is
10 not clear that this evidence was unavailable to him when his original motion was filed.
11 Moreover, even when reviewing the material he has provided, plaintiff has still failed to
12 demonstrate appointment of counsel is warranted at this time; it is not clear that the above-
13 mentioned defects in his complaint can be corrected.

14 (2) The Clerk is directed to send a copy of this Order to the Honorable Ricardo S.
15 Martinez.

16 DATED this 14th day of March, 2006.

17
18
19
20 
21 JAMES P. DONOHUE
22 United States Magistrate Judge
23
24
25
26